

REMARKS

The Rejections Under 35 U.S.C. § 102(b)

Claims 22 and 23 were rejected on pages 6-7 of the office action, dated April 7, 2006, under 35 U.S.C. § 102(b) as allegedly being anticipated by Hattori *et al.*, January 20, 1999 (Human Gene Therapy, Vol. 10, no. 2, pp. 215-222) ("Hattori").

Claim 22 is also rejected on page 7 of the office action under 35 U.S.C. § 102(b) as allegedly being anticipated by Jaffe *et al.*, April-May 1999 (Experimental Lung Research, Vol. 25, No. 3, pp. 199-215) ("Jaffe").

Applicants respectfully submit that submission of the certified copy of Mexican application number 998515, filed September 17, 1999, perfects the priority claim, and therefore the rejection of claims 22 and 23 under 35 U.S.C. § 102(b) as anticipated by Hattori and the rejection of claim 23 under 35 U.S.C. § 102(b) as anticipated by Jaffe are no longer be proper.

Applicants request that the rejections of claims 22 and 23 be reconsidered and withdrawn.

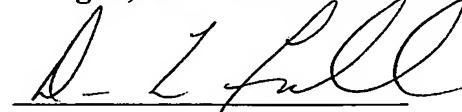
V. Conclusions

It is respectfully submitted that the rejections to the claims have been overcome. Should the Examiner disagree, Applicants respectfully request a telephonic or in-person interview with the undersigned attorney to discuss any remaining issues and to expedite the eventual allowance of the claims.

Except for issues payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310.

Dated: October 3, 2006
Morgan, Lewis & Bockius LLP
Customer No. 09629
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



Dean L. Fanelli
Registration No. 48,907